

A.S.B.C.E

THE OFFICIAL NEWSLETTER OF THE ALABAMA STATE BOARD OF CHIROPRACTIC EXAMINERS

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Newsletter January 2010 Volume 10. Issue 1

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Presidential Message

Dear colleagues and clinic owners:

The past twelve months have been good for the Board. The State auditors have just completed our two year audit with no findings. The Board staff continues to do a wonderful job in making sure that the Board remains compliant in all areas of operation. The complaints continue to stay on a downward trend, currently 1.4% of the licensees have received complaints in the past year.

The staff has also diligently been working on helping the licensee's who still have not renewed even calling those who have not renewed to try and help them with the process.

The Board elections for Districts 2

and 3 were recently held and both Dr. Kirby and myself ran unopposed for our board seats. I would like to thank all those who voted for us and we will continue to strive to do the best that we can for the people of Alabama.

I would like to encourage anyone who may (unfortunately) receive a complaint to please consult with their legal counsel for guidance with this process. The issues may appear simple to the doctor but the legal process can be very complicated and is best be explained by an attorney. Most malpractice policies have some coverage available for legal defense of board complaints (NCMIC has \$5000.00 professional discipline coverage stan-

NON RENEW LIST

Please see page 7 for a list of licensees who have not completed the renewal process.

If you continue to practice after January 1 you will be practicing without a license and in violation of the Alabama Chiropractic Practice Act and the Chiropractic Rules and Regulations.

dard) which can ease the concern of incurring additional cost to defend one's self during these proceedings.

The upcoming year should be interesting with the current issues relating to National healthcare and how and where our profession will fit in the system that no one seems to really know anything about. I continue to encourage everyone to speak to your representatives regarding our inclusion and access to whatever system our government puts in place.

In closing the Board would like to wish everyone a happy holiday season and a wonderful new year.

Brian Wells, D.C.

BOARD QUARTERLY PERFORMANCE REPORT

Applications Sent	6
Transcripts Processed	64
New License Issued	5
License Verifications	208
Complaints Received	5
Disciplinary Hearings	2
Outgoing Correspondence	6253

Disciplinary Actions

Christopher Stewart, DC (Tuscaloosa, AL) License #1590 Consent Order dated December 14, 2009-assessing fines of \$2,000.00 – guilty of one (1) count of violating 34-24-166 (b)(12).

ONLINE



SEMINARS

<u>Palmer College of Chiropractic</u> offers the following ON-LINE courses until December 2010. For information contact Sharon Whitney at 1-563-884-5715.

- 1. "Activator methods-Online Track 1"
- 2. "Basic Concepts of Biomechanics"
- 3. "Case Study Series I"
- 4. "Case Study Series II"
- 5. "Case Study Series III"
- 6. "Chiropractic Evaluation"
- 7. "Documentation"
- 8. "Electrodiagnostics Overview"
- 9. "Evidence-Informed Practice/Case Writing"
- 10. "Orthopedic Assessment & Interpretation"
- 11. "Foundation Imaging Concepts"
- 12. "Healthy Aging"
- 13. "Laboratory Analysis"
- 14. "Neurological Assessment & Interpretation"
- 15. "Pettibon Online-Clinic Protocols & Home Care"
- 16. "Pettibon Online-Fundamentals"
- 17. "Pettibon Online-X-Ray Procedures"
- 18. "Physiological Therapeutics"
- 19. "Professional Boundaries/Ethics"
- 20. "Technique Overview/Theories"

<u>Parker College of Chiropractic</u> offers the following ONLINE courses until December 2010: For information contact Tereasa Wright at 1-800-266-4723.

- 1. "Comprehensive Guide to Treating the Female Patient"
- 2. "Nutritional Considerations for Patients With Osteoporosis"
- 3. "SI Joint Pain-Diagnosis and Management"

Texas Chiropractic College offers the following ONLINE courses until December 2010. For information contact Bitsy Hatch, at 1-281-998-6028.

- 1. "Adjunctive Physiotherapy Procedures"
- 2. "Ancillary Diagnostic Testing & Procedures"
- 3. "Chiropractic Guide to Symptoms & Disease"
- 4. "Chiropractic Sports Medicine"
- 5. "Chiropractic Treatment and Golf Injuries"
- 6. "Chiropractic Treatment Auto Accident Injuries"
- 7. "Ethics & Chiropractic Practice"
- 8. "Exercise Strength and Conditioning"
- 9. "Fundamentals of Clinical Nutrition"
- 10. "Geriatric Health Care"
- 11. "Orthopedic & Neurologic Evaluation"
- 12. "Pain Management"
- 13. "Professional Boundaries & Chiropractic Practice"
- 14. "Protocols for a Flexibility? Class That is Profitable & Time Efficient"
- 15. "Risk Management and Documentation Essentials"
- 16. "Sports Injuries"
- 17. "Weight Loss Management: Fitness & Nutrition"

Western States Chiropractic College offers the following ONLINE courses until December 2010: For information contact Marsha Peoples Jack at 1-503-251-5719.

- 1. "Clinical Practice Update Series"
- 2. "Ethics & Boundary Issues for Chiropractors"
- 3. "Radiology of the Spine & Extremities"
- 4. "Whiplash Injuries Series"

OUR MISSION

To regulate and license doctors of chiropractic in order to protect the people of Alabama.

OUR VISION

To ensure the people of Alabama will receive professional, ethical and quality care in utilizing chiropractic services to maximize health benefits.

OUR VALUES

Excellence, integrity, communication and ethics.

Alabama State Chiropractic Association presents the following course: For information contact Layne Lunn at 334-262-2228.

"Clinical Posture Practices" 12 hours January 30-31 in Huntsville, AL

Chiropractic Society of Alabama presents the following course: For information contact Louis Poe, D.C. at 205-967-4444.

"How to Address Common Illnesses Naturally" 12 hours February 6-7 in Birmingham, AL

Florida Chiropractic Association presents the following course: For information contact Jennifer L. Haag at 407-290-5883.

"FCA Panhandle Convention & Expo 2010" 78 hours January 21-24 in Sandestin, FL. Two hours in Alabama Law will be offered.

Life Chiropractic College West presents the following courses: For information contact Kendra L. Holloway, D.C. at 510-780-4508.

"Validating Chiropractic 2010" 12 hours January 23-24, in Honolulu, HI, January 30-31 in Foster City, CA, February 20-21 in Westford, MA, and February 27-28 in Seattle, WA.

Life University presents the following courses: For information contact Leila Russell-Tatum at 770-426-2753.

"Cervical-Lumbar Dissection" 15 hours February 27-28 in Marietta, GA.

Logan College of Chiropractic presents the following courses: For information contact Ralph Barrale, D.C. at 800-842-3234.

- "Dr. Brimhall's Six Steps to Wellness Protocol" 20 hours January 29-31 in Phoenix, AZ.
- "Pro Adjuster Manipulative Technique-Intermediate Training" 6 hours February 26-27 in McMurray, PA.
- "4th Annual Professional Football Chiropractic Education Seminar" 12 hours February 27 in Indianapolis, IN.
- "Applying Functional Medicine in Clinical Practice" 37 hours January 11-15 in Tampa, FL.

National University of Health Sciences presents the following courses: For information contact Jonathan R. Soltys, D.C. at 630-889-6622.

"Restoring Gastrointestinal Equilibrium" 17.5 hours February 19-21 in Austin, TX.

Northwestern Health Sciences University presents the following course: For information contact Jacklyn Sanford at 952-885-5446.

"2010 Homecoming & Winter Gathering" 24 hours February 4-6 in Bloomington, MN.

coming Seminars

Palmer College of Chiropractic presents the following courses: For information contact Sharon Whitney at 563-884-5715.

- "Activator Methods 2,3" 12 hours January 21-23 in Honolulu, HI, January 30-31 in Houston, TX, February 6-7 in Orlando, FL, February 20-21 in Columbus, OH & March 6-7 in Columbus, OH.
- "NUCCA Conference Fall 2009" 24 hours October 7-10 in Dallas, TX.
- "LRS-IA: Diagnostic Imaging for the Chiropractor" 12 hours January 23-24 in Davenport, IA.
- "Palmer College Florida Homecoming 2010" 30 hours February 19-20 in Port Orange, FL.
- "Pettibon Rehab that Works" 12 hours February 20-21 in Las Vegas, NV & March 27-28 in Seattle, WA.
- "Latest Technologies Communicating Chiropractic & Clinical Application" 12 hours February 26-28 in Ft. Lauderdale, FL.
- "LRS-IA: Federal DOT Physical Exam" 12 March 27-28 in Davenport, IA.
- "LRS-IA: Nutrigenomic Therapies For Aids" 12 February 27-28 in Davenport, IA.

Parker College of Chiropractic presents the following course: For information contact Teresa Wright at 800-266-4723.

- "Parker Seminar-Las Vegas" 20 hours January 14-16 in Las Vegas, NV.
- "Scoliosis 2010 Series Part 1-3" 33 hours March 27-28 in Dallas, TX.

Seminars in Chiropractic Research presents the following course: For information contact Marty Drybread at 970-663-3716.

"Chiropractic Research: The Year in Review" 16 hours February 20-21 in Birmingham, AL.

Sherman College of Chiropractic presents the following courses: For information contact Missy Sandor at 864-578-8770.

"The Science of Chiropractic & Vertebral Subluxations" 10 hours January 29-30 in Las Vegas, NV.

Texas Chiropractic College presents the following courses: For information contact Bitsy Hatch at 281-998-6028.

- "Clinical Applications & Advanced Principles: Balancing Hormones in Cycling Women" 12 hours January 23-24 in Atlanta, GA.
- "Nutrition Response Testing" 13 hours January 30-31 in Clearwater, FL.
- "Applied Nutrition Health Professional" 12 hours March 13-14 in Atlanta, GA.

Turning Point Logistic Systems presents the following courses: For information contact Angel Tribuno, DC at 706-882-2092.

- "Total Solution" 36.5 hours February 24-28 in Florissant,
- "CBP Whiplash Injury" 12 hours February 26-28 in Park
- "CBP Basics" 12 hours March 6-7 in Atlanta, GA.

Seminars Continued

"CBP Drop Table Adjusting" 12 hours March 13-14 in San Diego, CA.

"CBP Structural Rehab of the Cervical Spine" 12 hours March 27-28 in Baltimore, MD.

<u>University of Bridgeport College of Chiropractic</u> presents the following courses: For information contact Anne Nilson at 203-576-4880.

"Mastering Thyroid" 20 hours January 15-17 in Denver, CO.

"Functional Blood Chemistry" 16 hours January 16-17 in Atlanta, GA, January 30-31 in Seattle. WA, January 30-31 in San Francisco, CA, March 6-7 in Denver, CO, March 13-14 in Kansas City, MO, & March 20-21 in Charlotte, NC.

"Bridging Lifestyles Medicine & Systems Biology in Clinical Practice" 6 hours January 30 in Chicago, IL, January 31 in Los Angeles, CA, & February 21 in New York, NY. "Breakthrough Coaching" 7 hours February 4-6 in Garden Grove, CA.

"Functional Endocrinology" 16 hours February 6-7 in New York, NY,

"Frequency Specific Seminar Core" 24 hours February 13-15 in Phoenix, AZ & March 12-14 in Portland, OR.

"Frequency Specific Seminar/Advanced" 14 hours February 18-19 in Phoenix, AZ.

"11th Annual ACA Rehab Symposium" 17 hours March 5-7 in Los Angeles, CA.

William M. Lemon, D.C. presents the following courses: For information contact William M. Lemon, D.C. at 256-831-9225. "D.O.T. Medical Examination Protocol" February 20-21 in Oxford, AL.

FYI

Please be aware if your license is in a Retired or Forfeit status for more than 3 years and you apply to return to an active status you may be required to take the SPEC Exam as part of the reinstatement process.

Condolences

Dr. Kenneth E. Sullivan. Dr. Sullivan graduated Life Chiropractic College in 1993 and received his Alabama license November 29, 1993. Dr. Sullivan lived and practiced in Mobile. The Board and staff send condolences to the family and friends of Dr. Sullivan.

BCBS Classifies Chiros as Physicians Once Again

BCBS once again classifies Doctors of Chiropractic as "physicians" in their Federal Employee Program. This designation had been taken away last year and chiropractors had been classified as "other covered health care professionals." The change and its correction are important because the BCBS program insures approximately 4 million federal employees and their dependents and because it is part of the Federal Employees Health Benefits Program, which has been designated

as the model for President Obama's proposed health care reform plan, and has already been used as a benchmark for coverage.

The 2010 BCBS Service Benefit Plan, as administered by the BCBS Association, has included doctors of chiropractic as physicians along with medical doctors, doctors of osteopathy, doctors of medical dentistry and dental surgery, doctors of podiatric medicine and doctors of optometry.

It Matters What You Say

It often seems chiropractors are constantly required to do more paperwork for less money. However, the standard of care for the profession is that all patient contact and care need to be documented. Paperwork is a part of health care no matter what branch you are in. Whenever you have contact with a patient, there should be some level of documentation.

The "SOAP" format is the classic way of keeping daily notes. (Subjective, Objective, Assessment and Plan) This is the outline for the information you need to keep on every patient at every visit.

The Subjective portion of the notes is commonly where you would document how the patient is feeling at the time of the visit. This section might also include any changes since the last visit.

The Objective portion of the notes should reflect your findings on the day of the visit. This does not have to be a full report but the comment "unchanged" is not acceptable. This

would only serve to show your care is not effective. Give a daily record of how your patient feels with progressive care.

This section should also include other studies or reports you have received since the last visit.

The Assessment portion of the notes constitute your interpretation of the patients complaints, the findings, the current diagnosis and your perception of their overall condition at the time of the visit.

The *Plan* portion of the notes should not only show the treatment you provided at the time of the visit, but also your plan for future visits.

Responsible patient care mandates you document your case, whether you feel obligated or not. If chiropractors want to gain the same level of respect that any other health profession has, it comes with a level of responsibility. Documentation paperwork is part of professional health care.

United Health Care Fined

Missouri Department of Insurance announced a settlement in late August 2009 regarding UHC of the Midwest and its inappropriate reimbursement activity noting that in some instances, the insurer:

- Used a chiropractic rider that limited coverage in a calendar year;
- Denied payment of benefits by limiting coverage to 26 visits per calendar year;
- Failed to pay benefits for medically necessary care, in that the insured denied claims on the basis that the insured and the provider failed to submit or resubmit a Complete Clinical Notification (CCN) in order to obtain reimbursement, relying solely on administrative requirements rather that on any basis in medical necessity or lack thereof;
- Denied payment of benefits for chiropractic care by failing to make any determination on the

- medical necessity of additional visits and by requiring notification within the first 26 periods in a policy period as a condition of coverage;
- Failed to pay the appropriate amount on the claims it partially covered; and
- Denied chiropractic claims by improperly coding the denials on the claims.

UHC has been in the news several times in the past few years for its coverage and reimbursement tactics. As reported in Dynamic Chiropractic in 2007, UHC implemented a policy in several states that limited reimbursement for physical medicine and rehabilitation services to those who were licensed providers. That meant services provided by non-licensed staff (chiropractic assistants, etc.) were considered non-reimbursable.

Non-Renewed Licensees

Kenneth Bosarge	Lucedale, MS
Dallas Capistran	Wetumpka, AL
Gerald Cunningham	Prospect, TN
Matthew Horvath	Rocky Mount, NC
Patricia Howard	Maylene, AL
Kevin Kemner	Key West, FL
Monette Sexton	Reidsville, NC
William E. Sexton	Reidsville, NC
Terri Wells	Foley, AL
Teresa Wink	Ventura, CA
Lee Goldenberg	Atlanta, GA

If you know any of these doctors please have them contact the Board office as soon as possible for information on how to reinstate their license.

This rule was adopted and became effective November 24, 2009. Please place a copy in your Office Master Copy of the Rules and Regulations to avoid future violations of this rule.

RULE 190-X-6-.03 Public Hearings.

The Board shall permit all interested persons reasonable opportunity to submit data, views or arguments concerning any proposed rule action. Data, views or arguments submitted in writing must be received by the Executive Director at least two days before the date specified in the notice as the day of the public hearing. Those persons wishing to appear before the Board to present data, views or arguments orally must submit a request to appear before the Board to the Executive Director, and such request must be received by the Executive Director at least five days before the dead-line for comment.

Effective: 3-6-90, amended 3/2009, amended 6/2009

Authority: 34-24-144; 34-24-165; 41-22-8

Congratulations to those licensed since October 2009



PATRICK J. BALLARD ALIJHA M. FOJTER ERIK D. HULJE DAVID JEFFERJON, II MATTHEW B. NIXON JUJTIN F. JOUTHALL OF GRENADA, MISTISTIPPI OF DAPHNE, ALABAMA OF HARTSELLE, ALABAMA OF BIRMINGHAM, ALABAMA OF CAPE CORAL, FLORIDA OF FAIRHOPE, ALABAMA

Congratulations to new permit holders since October 2009

EZ HEALTH CLINIC WELLNESS ONE, LLC

LOCATED IN MONTGOMERY, AL LOCATED IN DAPHNE, AL

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DATES TO CALENDAR

The Board will meet in Clanton, AL:

January 22-23, 2010 & March 5-6, 2010

2010 State Holidays

The board office will be closed on the following:

New Year's Day......January 1

Robert E. Lee / Martin Luther King Jr's B'day....January 18

George Washington / Thomas Jefferson's B'day...February 15

Board Members

R. Brian Wells, DC, President, Member District 3
Jerry L. Schreiner, DC, Vice – President, Member District 7
Kenneth J. Randolph, DC, Secretary / Treasurer, Member District 4
Gerald J. Collins, DC, Member District 6 / Preceptor Director
Jerry S. Kirby, DC, Member District 2
Gilles X. Beaumont, DC, Member District 1
Larry H. Heaton, DC, Member District 5
Ricardo Herring, DC, Minority Member
Allen Sanderson, Consumer Member

James S. Ward, Esquire, Board Attorney

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